

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**Case No. 8:03-CR-77-T-30TBM**

**HATEM NAJI FARIZ**

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**MOTION FOR AN ORDER ALLOWING MR. FARIZ TO UTILIZE THE  
VIDEOCONFERENCING FACILITIES AT THE SAM M. GIBBONS UNITED  
STATES COURTHOUSE FOR THE PURPOSES OF CONDUCTING FOREIGN  
DEPOSITIONS**

Defendant, Hatem Naji Fariz, by and through undersigned counsel, hereby respectfully requests that the Court issue an order allowing Mr. Fariz to use the videoconferencing facilities located on the fourth floor of the Sam M. Gibbons United States Courthouse in Tampa, Florida, for the purposes of conducting foreign depositions. As grounds in support, Mr. Fariz states:

On February 14, 2005, the Court granted Mr. Fariz's Motion to Preserve Testimony by Way of Foreign Depositions with respect to 6 out of 7 requested deponents. (Doc. 899.) In order to successfully carry out these foreign depositions, Mr. Fariz intends to proceed by means of videoconferencing, given the logistical hurdles and legal barriers that make carrying out live depositions in the West Bank and Gaza Strip impossible. In this regard, the Office of the Federal Public Defender has contacted a company that maintains videoconferencing facilities in both the West Bank and Gaza Strip and intends to engage its services for the purpose of carrying out the foreign depositions contemplated in Mr. Fariz's

motion. To properly carry out the depositions via videoconferencing, Mr. Fariz would need to employ suitable facilities in the Middle District of Florida, such as, *e.g.*, the videoconferencing facilities located on the fourth floor of the Sam M. Gibbons United States Courthouse in Tampa.

In discussions with the Clerk of Court's office, the Office of the Federal Public Defender has learned that the use of those videoconferencing facilities requires an order from the Court authorizing such. Mr. Fariz therefore requests that the Court issue an order authorizing him to make use of those videoconferencing facilities for the purposes of conducting foreign depositions. In making this request, Mr. Fariz is mindful of the Court's directive that the Office of the Federal Public Defender bear the costs of taking the depositions.

WHEREFORE, the defendant, Hatem Naji Fariz, would respectfully request that the Court issue an order allowing Mr. Fariz to use the videoconferencing facilities located on the fourth floor of the Sam M. Gibbons United States Courthouse in Tampa, Florida, for the purposes of conducting foreign depositions.

Respectfully submitted,

R. FLETCHER PEACOCK  
FEDERAL PUBLIC DEFENDER

/s/ Wadie E. Said

Wadie E. Said

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Attorney for Defendant Fariz

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 29th day of March, 2005, a true and correct copy of the foregoing has been furnished by CM/ECF, to Walter Furr, Assistant United States Attorney; Terry Zitek, Assistant United States Attorney; Alexis L. Collins, Assistant United States Attorney; Cherie L. Krigsman, Trial Attorney, U.S. Department of Justice; William Moffitt and Linda Moreno, counsel for Sami Amin Al-Arian; Bruce Howie, counsel for Ghassan Ballut; and to Stephen N. Bernstein, counsel for Sameeh Hammoudeh.

/s/Wadie E. Said  
Wadie E. Said  
Assistant Federal Public Defender